

IN THE COURT OF HIGH COURT OF UTTARANCHAL AT NAINITAL
Writ Petition No.448 (S/B)2003

Ashok Shankar aged about 57 years

S/o late Shri Ram Chandra,

R/o 25 Chhatta Street, Khurja,

Distt. Bulandshahr

Petitioner

Versus

State of Uttaranchal through Secretary,

Uttaranchal Payjal Sansadhan Vikas Evam Nirman Nigam,

Dehradun, and others

Respondents

Mr. D.P. Singh, Mr. V.K. Bisht, Advocates, for the petitioner

Mr. N.B. Tiwari, learned C.S.C.

Sri V.B.S.Negi, Advocate for the

Uttaranchal Pay Jal Sansadhan

Vikas and Nirman Nigam.

Coram: Hon. S.H.Kapadia, C.J.

Hon. Irshad Hussain, J.

Dated: 29.08.2003:

PC:

Petitioner is an Executive Engineer. He was disbursing officer. In the matter of bills of muster employees, petitioner drew a cheque in favour of his Assistant Engineer(in charge). The cheque was of Rs. 6,00,000/-(Rupees Six Lacs). The money has been misappropriated. The cheque was deposited in the private account of one Shri Dinesh Joshi. On 1.8.2003, petitioner has been suspended. We do not know why the cheque was drawn in favour of the Assistant Engineer.

Petition is filed to challenge the order of suspension. Till date, there is no charge sheet. The petition is premature. We do not wish to interfere. Hence, writ petition is liable to be rejected. We do not wish to express any opinion on merits. However, petitioner is due to retire. Hence, we direct filing of charge sheet by 1.10.2003. Thereafter, we direct the inquiry to be completed by 31.1.2004.

Subject to above, the writ petition is rejected.

(Irshad Hussain, J.)

(S.H. Kapadia, C.J.)

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